

May 2, 2007 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

07AN0291

Janet Hazlegrove

Matoaca Magisterial District
14612 Summer Gate Court

REQUEST: A Special Exception to operate a one (1) chair beauty shop from the home in a Residential (R-12) District.

RECOMMENDATION

Recommend approval of this Special Exception for the following reasons:

- A. Special Exception will not adversely affect the health, safety or welfare of persons residing or working on the premises or in the immediate area.
- B. Request will not increase congestion in the street.
- C. Special Exception will not impair the character of this district.

CONDITIONS

- 1. Special Exception shall be granted to and for Janet Hazlegrove, exclusively. Upon transfer of the land, this Special Exception shall expire.
- 2. Special Exception shall be granted for a period not to exceed three (3) years from date of approval and may be renewed upon satisfactory reapplication and demonstration that the one (1) chair beauty shop operation has not proved a detriment to the adjacent property or the area in general.

3. Special Exception shall be limited to the operation of a one (1) chair beauty shop, exclusively, and no person, other than the applicant, shall be engaged in this operation.
4. Hours of operation shall be restricted to between 11:00 a.m. and 8:00 p.m., Monday thru Thursday.
5. Off-street parking shall be provided for at least two (2) customer vehicles, plus vehicles belonging to the applicants. All driveway and parking areas shall be at least graveled.
6. No additions or alterations related to this operation shall be permitted to the exterior of the dwelling.
7. No group assembly connected with this operation shall be permitted.
8. Not more than two (2) customers shall be permitted on the property at any one (1) time.
9. No signs advertising the one (1) chair beauty shop shall be posted outside the exterior of the building, nor shall any sign be visible from outside the building.
10. All refuse related to the one (1) chair beauty shop shall be stored in appropriate containers and the containers shall not be visible from ground level to adjacent properties.

GENERAL INFORMATION

Location:

Property is known as 14612 Summer Gate Court. Tax ID 721-668-2855 (Sheet 15).

Existing Zoning:

R-12

Size:

0.6 acre

Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-12; Residential
South - R-12; Residential
East - R-12; Residential
West - A; Residential

Utilities:

Public water and sewer

General Plan:

(Upper Swift Creek Plan)

Residential
(2.0 units per acre or less)

DISCUSSION

The applicant requests a Special Exception to operate a one (1) chair beauty shop from the home.

The applicant provides the following justification in support of this request:

A six (6) foot by five (5) foot laundry room has been converted into a one (1) chair, one (1) sink workshop for the purposes of cutting, styling, curling or coloring hair. I am requesting a Special Exception in order to care for and provide for my family and especially my son who is severely disabled and has ongoing medical bills. This business is word of mouth advertisement – no signs are posted and customers are required to park in our driveway. Each client is scheduled by appointment only, in such a way that only one (1) customer will park on the property at a time. Public utilities, water (sink is hooked up to our plumbing) and electricity are necessary utilities for this hair styling operation/service. This operation is not detrimental to the neighborhood or the county in any way. This business operates on a part time only basis, not to exceed six (6) hours per day. I would like to request that this Special Exception be approved for as long as we own the property.

The Planning Department compliance staff visited the site in response to a citizen complaint. Staff's inspection revealed that the applicant was in violation of the Zoning Ordinance by operating a one (1) chair beauty shop from the home without an approved Special Exception. This request is in response to staff's investigation.

The subject property is very well maintained. The driveway and parking area are paved with concrete and are adequate to accommodate the parking needs of this request. The applicant has indicated she will use an existing six (6) foot by five (5) foot laundry room for the one (1) chair beauty shop (see attached drawing). This request is located on a cul-de-sac off Summer Gate Court in the Cloverhill Estates Subdivision. The subject property consists of 0.6 acre and is zoned Residential (R-12). Staff notes that there are single family dwellings located to the north, south and east of the subject property that are zoned Residential (R-12). There is a single family dwelling located to the west of the subject property that is zoned Agricultural (A).

Staff believes that if this request is properly conditioned, it will have minimal impact on adjacent properties and the area in general and will not impair the character of this district. Further, staff believes this request will not adversely affect the health, safety or welfare of persons residing on the premises or in the immediate area. Therefore, staff supports this request subject to the aforementioned conditions.